

PROCLAMATION NO. 2020-02

A PROCLAMATION BY THE CITY MANAGER OF THE CITY OF COSTA MESA, CALIFORNIA, ACTING AS THE DIRECTOR OF EMERGENCY SERVICES, DECLARING THE EXISTENCE OF A LOCAL EMERGENCY

WHEREAS, Costa Mesa Municipal Code Section 6-6 empowers the City Manager, as the Director of Emergency Services, to declare the existence or threatened existence of a local emergency when the City is affected or likely to be affected by a public calamity; and

WHEREAS, Government Code Section 8550 et seq., including Section 8558(c), authorize the City Manager to proclaim a local emergency when the City is threatened by conditions of disaster or extreme peril to the safety of persons and property within the City that are likely to be beyond the control of the services, personnel, equipment, and facilities of the City; and

WHEREAS, a death at the hands of Minneapolis police officers has generated widespread protests, most of which began peaceably, but which have turned into riots, with arson, looting and violent confrontations between some of the protesters and the police across the Country; and

WHEREAS, there has been widespread arson, looting, assaults, vandalism, rioting and other civil unrest in the City of Los Angeles, and other nearby cities since May 30, 2020, and continuing to the present. Since at least May 28, 2020, there has also been widespread arson, looting, assaults, vandalism and rioting stemming from public demonstrations in numerous other cities throughout California and across the country. Peaceful demonstrations are essential to our democratic system. However, some individuals have engaged in dangerous and unlawful activity, threatening the safety of lawful demonstrators, surrounding communities, and first responders; and

WHEREAS, on May 30, 2020, there was rioting and looting in the adjacent City of Santa Ana; and

WHEREAS, there is an imminent threat of the civil unrest spreading to the City of Costa Mesa which could lead to extreme peril to life and property in the City of Costa Mesa; and

WHEREAS, these civil unrest conditions, if fully manifested, are, or are likely to be, beyond the control of the services, personnel, equipment, and facilities of the City of Costa Mesa; and require the combined forces of other political subdivisions to combat; and

WHEREAS, the City of Costa Mesa has the power to impose measures to prevent civil unrest, rioting, arson and other harmful conduct which threatens the health and safety of residents and the property of residents and business owners; and

WHEREAS, the mobilization of local resources, ability to coordinate interagency response, accelerate procurement of vital supplies, use mutual aid, and allow for future reimbursement by the state and federal governments will be critical to successfully responding to the civil unrest and violence; and

WHEREAS, the City Manager, as the City's Director of Emergency Services, has the power to declare a local emergency as authorized by Government Code section 8630 and Costa Mesa Municipal Code section 6-6(a)(1).

NOW, THEREFORE, IT IS PROCLAIMED AND ORDERED by the City Manager of the City of Costa Mesa as follows:

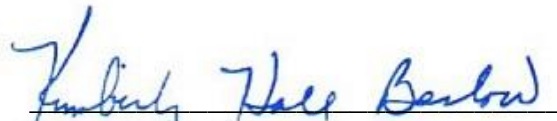
- A. As contemplated in the Emergency Services Act contained in Government Code Section 8550 et seq., including Section 8558(c), and Chapter 1 of Title 6 of the Costa Mesa Municipal Code, a local emergency exists based on the existence of conditions of disaster or of extreme peril to the safety of persons and property caused by an widespread civil unrest, in which peaceful protests have turned into riots, with looting, and other violent behavior, as detailed in the recitals set forth above.
- B. During the existence of this local emergency, the powers, functions, and duties of the emergency organization of this City shall be those prescribed by state law and by ordinances, resolutions, and orders of this City, including but not limited to the City of Costa Mesa Multi-Hazard Functional Emergency Plan.
- C. The City Council shall review and ratify this proclamation within 7 days as required by state law, and if ratified, shall continue to exist until the City Council proclaims the termination of this local emergency. The City Council shall review the need for continuing the local emergency as required by

state law until it terminates the local emergency, and shall terminate the local emergency at the earliest possible date that conditions warrant.

- D. That a copy of this proclamation be forwarded to the Director of California Governor's Office of Emergency Services requesting that the Director find it acceptable in accordance with State Law; that the Governor of California, pursuant to the Emergency Services Act, issue a proclamation declaring an emergency in the City of Costa Mesa; that the Governor waive regulations that may hinder response and recovery efforts; that recovery assistance be made available under the California Disaster Assistance Act; and that the State expedite access to State and Federal resources and any other appropriate federal disaster relief programs.

PROCLAIMED this 31st day of May, 2020.

Lori Ann Farrell Harrison, City Manager



Kimberly Hall Barlow, City Attorney

ATTEST:

Brenda Green, City Clerk